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8 *Attorneys for Defendants Mineral County and*
9 *Sheriff Randy Adams*

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF NEVADA
12
13

14 JAMES COLTRAIN, CAROL FESSER,
15 SUSAN PATRICIA SCHULTZ, as
16 ADMINISTRATOR of the ESTATE OF
17 KELLY EILEEN COLTRAIN,

18 Plaintiff,

19 vs.

20 MINERAL COUNTY; SHERIFF RANDY
21 ADAMS; SERGEANT JIM HOLLAND;
22 RAY GULCYNISKI; and DOES 1-10,

23 Defendants.
24 _____/

Case No.: 3:18-cv-00420-LRH-CBC

**JOINT REQUEST FOR
ADDITIONAL TIME TO FINALIZE
SETTLEMENT AGREEMENT AND
FILE STIPULATION FOR
DISMISSAL**

25 COME NOW, the parties, by and through their respective undersigned counsel, and
26 hereby request an additional 120 days from today to finalize the terms of the settlement
27 reached at the Settlement Conference before Magistrate Judge Robert A. McQuaid, Jr., on
28 December 13, 2018. As set forth in the Court's Minutes (#9), the parties did in fact reach a
negotiated agreement at that settlement conference, and Judge McQuaid issued a reasonable
order that the final terms of the settlement be concluded and a stipulation for dismissal filed
within 60 days of that date.

1 While the parties have worked toward achieving that goal, counsel for Plaintiffs and
2 Defendants now believe that 120 days from now will be required. The reason for this request
3 is that payment of some or all settlement funds will need to pass through probate in Mineral
4 County, where the Estate of Kelly Coltrain has been opened, and counsel for Plaintiffs will
5 need to seek the approval of that Court before payment can be issued, and must also provide
6 90 days of statutory notice to creditors pursuant to the statutory requirements set forth in
7 NRS 147.040. Counsel reasonably believes that will not require more than the requested 120
8 days, and therefore requests a new deadline of May 17, 2019, by which to file a stipulation
9 and proposed order for dismissal with prejudice.

10 Undersigned counsel hereby certifies that this request is made in good faith, and for
11 the purposes stated above, and not for the purposes of undue delay.


12 DATED this 17th day of January, 2019.

13 ERICKSON, THORPE & SWAINSTON, LTD.

14
15 /s/ Brent Ryman
16 BRENT L. RYMAN, ESQ. (#008648)
17 ERICKSON, THORPE & SWAINSTON, LTD.
18 99 West Arroyo Street
19 Reno, Nevada 89505
20 (775) 786-3930
21 *Attorneys for Defendants*

22 DATED this 17th day of January, 2019.

23
24 /s/ Terri Keyser-Cooper
25 TERRI KEYSER-COOPER, ESQ. (#003984)
26 Law Office of Terri Keyser-Cooper
27 3590 Barrymore Dr.
28 Reno, Nevada 89512
(775) 337-0323
Attorneys for Plaintiffs

IT IS SO ORDERED

U.S. MAGISTRATE JUDGE

2 DATED: 1/18/2019

CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of ERICKSON, THORPE & SWAINSTON, LTD. and that on this day I caused to be served a true and correct copy of the attached document by:

- ☐ U.S. Mail
- ☐ Facsimile Transmission
- ☐ Personal Service
- ☐ Messenger Service
- X CMECF Electronic Filing

addressed to the following:

TERRI KEYSER-COOPER
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KERRY S. DOYLE
Doyle Law Office, PLLC
4600 Kietzke Lane, Suite I-207
Reno, Nevada 89502
Attorneys for Plaintiffs

DATED this 17th day of January, 2019.

Brent L. Ryman